



WMC-TV Memphis, TN 2016 Political Guidelines

Rates

Subject to availability, the Station will offer every class of time at the lowest unit rate to legally qualified political candidates during the 45 days before a primary election or 60 days before a general or special election for candidate authorized “uses.” The Station will periodically adjust rates in accordance with ordinary business practices.

The Station will provide upon request a good faith estimate of the probability that a spot purchased in a specified time period and class will be preempted. The Station can provide only an estimate of preemption probability, not a guarantee, and subsequent purchases of time can affect the probability that a spot actually purchased would be preempted.

Federal election law provides that a federal candidate is only eligible for the Station’s lowest unit rate if the candidate provides “written certification” to the Station that the candidate and the candidate’s authorized committee “shall not make any direct reference to another candidate for the same office” in a spot unless that spot complies with expanded sponsorship identification requirements. These requirements are detailed in the “Identification” section above, under “Lowest Unit Rate Requirements for Federal Candidates.” Note that this requirement applies to any “reference” to another candidate — not necessarily an attack or a negative reference.

In addition to supplying certification — which should be made with *every purchase* of political advertising that would be entitled to lowest unit charge — the federal candidate must actually comply with the certification. If a candidate’s sponsored spot airs on the Station and refers to an opposing candidate without including the enhanced sponsorship identification, that candidate is not entitled to the Station’s lowest unit rate for that spot or for any spot run from that day through the relevant election window.

The Station’s classes of time are as follows:

P-1-FIXED-Spots scheduled to air in a particular program at a precise time, break, or day, as specified by the advertiser. These spots may not be preempted in favor of any other advertisement and will air as scheduled excluding circumstances that are unforeseen or otherwise beyond the Station’s control. Circumstances that may require a preemption include, but are not limited to, program changes, technical difficulties, breaking news, human error, or changes required to meet legal obligations such as equal opportunity and federal reasonable access

requirements. Because the Station has limited number of commercial avails, even “non-preemptible” time may be sold out. In this case, the Station will endeavor to locate a comparable area for placement of a candidate’s time. Section P1 can preempt all other section levels.

P-2-Non-Preemptible - Spots scheduled to air at the Station’s discretion within or adjacent to the particular program, time period, daypart, or day as specified by the advertiser. These spots may not be preempted in favor of any other advertisement and will air as scheduled in the absence of unforeseen circumstances, including but not limited to, program changes, technical difficulties, breaking news, and human error, or changes required to meet legal obligations such as equal opportunity and federal reasonable access requirements. Because the Station has a limited number of commercial avails, even "non-preemptible" time may be sold out. In this case, the Station will endeavor to locate a comparable area for placement of a candidate's time. If a spot in this class of time is preempted, the Station will offer the advertiser a make-good, as provided below.

P-3-Preemptible with Notice 1 - Spots scheduled to air at the Station’s discretion within or adjacent to the particular program, time period, daypart, or day as specified by the advertiser. These spots may be preempted in favor of other advertisements in a higher class of time upon 3 days (72 hours) notice to the advertiser. If a spot in this class of time is preempted, the Station will offer the advertiser a make-good, as provided below. These spots must be purchased *more than* 72 hours before they are to air. In general, spots in this class have an estimated probability of preemption of about 25%; candidates should contact the Station for more up-to-date estimates at the time of purchase.

P-4-Preemptible with Notice 2 - Spots scheduled to air at the Station’s discretion within or adjacent to the particular program, time period, daypart, or day as specified by the advertiser. These spots may be preempted in favor of other advertisements in a higher class of time upon 24 hours notice to the advertiser. If a spot in this class of time is preempted, the Station will offer the advertiser a make-good, as provided below. These spots must be purchased more than 24 hours before they are to air. In general, spots in this class have an estimated probability of preemption of about 50%; candidates should contact the Station for more up-to-date estimates at the time of purchase.

P-5-Immediately Preemptible with No Notice - Spots scheduled to air at the Station’s discretion within or adjacent to the particular program, time period, daypart, or day as specified by the advertiser. These spots may be preempted in favor of other advertisements in a higher class of time, or in the event of unforeseen program changes, technical difficulties, breaking news, human error, or similar circumstances, with no guarantee of advance notice to the advertiser. If a spot in this class of time is preempted, the Station will offer the advertiser a make-good, as provided below. In general, spots in this class have an estimated probability of preemption of about 25%; candidates should contact the Station for more up-to-date estimates at the time of purchase.

P-6-Run of Schedule (ROS) - A form of immediately preemptible time in which the Station has wide discretion to schedule announcements when and as time is available. The Station will air as many ordered ROS spots as possible within the flight dates specified by the advertiser. If any ordered spots are not aired within the flight dates, the advertiser will receive a credit; no make-goods will be offered for preempted spots in this class of time. In general, spots in this class

have an estimated probability of preemption of about 99%. Candidates who are interested in ROS scheduling should contact the Station for an explanation of available time periods, rates, and updated estimates of the probability of preemption.

Direct Response - Rates are available on request. Direct Response advertisements are scheduled to air at the Station's discretion within wide rotations as negotiated with the advertiser. Make-goods are not available for spots purchased in this class of time.

Programmatic – Available to federal candidates only (no state or local candidates availability this time). A class of time that is purchased via an online proprietary software program. Advertisements purchased through a programmatic system scheduled to air at the Station's discretion within or adjacent to the particular daypart (within a thirty (30) minute period), or day as specified by the advertiser. The Station will make best efforts to clear the spots. Make-goods are not available for spots purchased in this class of time. In general, spots in this class have an estimated probability of preemption of about 25%. Federal candidates who are interested in purchasing through a programmatic system should contact the Station for an explanation of available time periods, rates, and updated estimates of the probability of preemption.

The Station will provide upon request an updated good faith estimate of the probability that a spot purchased in a specified time period and class will be preempted. The Station can provide only an estimate of preemption probability, not a guarantee, and subsequent purchases of time can affect the probability that a spot actually purchased would be preempted. In particular, when demand for Station inventory is particularly high, as can occur in the pre-election windows, the likelihood of preemption may increase.

Spots purchased in any class of time are subject to preemption for special unforeseen circumstances, such as program overruns, live events, equipment failure, weather or emergency situations, breaking news, or similar events. Preemptions also may be required to meet the Station's legal obligations, including but not limited to obligations relating to equal opportunity and federal reasonable access requirements. The Station will offer make-goods, as provided below, to advertisers whose spots are preempted for these reasons and who have purchased time in a class that entitles the advertiser to make-good protection.

When deciding what spots within a class to preempt, the Station selects spots on a "last in, first out" basis that turns on when the spot was purchased, without regard to the identity of the advertiser or the rate paid for the spot.

Rotations other than those shown on the attached rate card are available upon request. The Station also airs spots sold through the NBC Television Network, to air on multiple stations affiliated with that Network. Please contact the Station for more information.

With respect to commercial advertisers, It is not the Station's practice to guarantee rating points delivery absent a written agreement. However, the Station may negotiate guaranteed ratings points delivery with advertisers who request such a guarantee. If the Station and the advertiser reach agreement, the result of those negotiations is a written, mutually-agreed upon ratings delivery figure. To qualify for consideration, ratings delivery must be agreed upon, in writing, in advance of the schedule. Any shortfalls of that agreed-upon delivery cannot be calculated until Nielsen publishes its quarterly "ratings survey" results, known in the industry as "sweeps." In such instances, should

overall actual delivery fall below the agreed upon estimated delivery, the Station normally airs additional spots to reach the mutually agreed upon level. **THE STATION DOES NOT PROVIDE UNDERDELIVERY MAKE-GOODS ON THE BASIS OF OVERNIGHT RATINGS.** With respect to political advertisers, because no “sweeps” books will be published during the pre-election period, the Station cannot provide political advertisers with underdelivery make-goods in accordance with its standard practice. However, the Station will make available to political advertisers the benefits of any underdelivery make-goods provided to commercial advertisers buying time in the same class and time period as political advertisers. Accordingly, the Station has factored a discount into the rates quoted on the attached rate card to compensate political advertisers for their risk of underdelivery. If you would prefer to negotiate to purchase time against specified ratings and demographic targets and to receive compensation for underdelivery in another way, please contact the Station. You should be aware that the Station will not provide underdelivery bonus spots scheduled to run after the election to any candidate.